

REMARKS/ARGUMENTS

Claims 19, 20, 51, and 52 are canceled without prejudice. Claims 14-18, 21-27, 50, and 54 are amended. Claims 14-18, 21-30, 50, and 53-64 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Claim Rejection Under 35 U.S.C. § 112

Claims 14-17 and 20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. In particular claims 14-17 and 20 are rejected because they depend from the non-elected subjected matter of the withdrawn claim 1. Also, claim 20 is rejected for lacking antecedent basis for the term "formulation." This rejection is moot with respect to claim 20 due to the cancellation of the claim. With respect to claims 14-17, applicants have amended claim 14 by adding all limitations of claim 1 and making claim 14 an independent claim. Thus, applicants believe that amended claims 14-17 are fully compliant with the requirements of 35 U.S.C. 112, second paragraph.

Claims 14-19, 21-30 and 50-64 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a stabilized vancomycin conjugate, allegedly, does not provide an enablement for a stabilized eremomycin or ristocetin A conjugate. Applicants believe that one skilled in the art would be able to practice any of the instantly claimed embodiments without undue experimentation in light of the teachings of the instant specification. However, in an effort to expedite the prosecution of the instant invention, the applicants amended independent claims 14, 18, and 50 to limit the scope of a glycopeptide antibiotic conjugate to vancomycin conjugate. Additionally, applicants would like to

point out that original independent claim 28 is directed to a stabilized vancomycin conjugate and, thus, it doesn't require further amendment.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6700 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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